

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha

140 Main Street, Menasha

April 2, 2007

MINUTES

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I. CALL TO ORDER

A. [Call to Order](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Meeting called to order by Council President Michalkiewicz at 7:32 p.m.

II. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

Item Action:
None

III. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Present: Ald. Michalkiewicz, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein.

Comments

Excused: Ald. Chase

Comments

Also Present: CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel, PRD Tungate, Clerk Galeazzi.

Comments

Excused: Mayor Laux, PHD Nett.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 3/19/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Common Council, 3/19/07 Minutes	Alderman Taylor	Alderman Pack	Passed
Motion carried on voice vote.				

Minutes to receive:

- | | | |
|-----------|---|---------------------------------|
| B. | <u>Safety Committee, 3/7/07, 3/22/07</u> | Item Action:
Approved |
| C. | <u>Water & Light Commission, 2/28/07</u> | Item Action:
Approved |
| D. | <u>Water & Light Commission, Closed session; 2/28/07</u> | Item Action:
Approved |
| E. | <u>NM Sewerage Commission, 3/27/07</u> | Item Action:
None |
| F. | <u>N-M Sewerage Commission, 3/27/07</u> | Item Action:
Approved |
| G. | <u>N-M Fire-Rescue, Joint Fire Commission; 3/28/07</u> | Item Action:
Approved |
| H. | <u>Water & Light Commission, Special Meeting; 3/27/07</u> | Item Action:
Approved |
| I. | <u>Plan Commission, 3/20/07</u> | Item Action:
Approved |
| J. | <u>Administration Committee, 3/19/07</u> | Item Action:
Approved |

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive B-J and Communications 1-7	Alderman Taylor	Alderman Eckstein	Passed
Motion carried on voice vote.				

- | | | |
|-----------|---|---------------------------------|
| K. | <u>Board of Public Works, 3/19/07</u> | Item Action:
Approved |
|-----------|---|---------------------------------|

Communications:

1.

[State Board of Assessors 3/07; findings for objection of 2006 assessment for SCA Tissue](#)

Item Action:
Approved 2.

[Menasha Utilities, 3/07; Monthly Construction Report for Water Treatment Plant](#)

Item Action:
Approved 3.

[Clerk Galeazzi, 3/07; Feb 20, 2007 election-Board of Canvass results](#)

Item Action:
Approved 4.

[NM Fire Dept., 3/07; Various thank you notes and letters of appreciation](#)

Item Action:

Approved 5.

[League of WI Municipalities; 3/16/07, 3/23/07-Legislative Bulletin, 3/26/07-League Letter](#)

Item Action:

Approved 6.

[Town of Menasha, 3/28/07; Heckrodt Annexation](#)

Item Action:

Approved 7.

[Winnebago County, 3/14/07; Properties owned by Winnebago County in City of Menasha](#)

Item Action:

Approved

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A. [Public Comments on any matter of Concern to the City](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			
	A. Stan Sevenich, 645 9th St. Presented information from Winnebago County Board of Supervisors on solid waste tipping fees.			
	Comments			
	B. Tom Robinson, 1149 Harold Drive, representing VFW Post 2126. Isle of Valor will honor Menasha's two Metal of Honor winners and all veterans.			

VI. APPOINTMENTS

- A. [Mayor's Reappointment to the Committee on Aging](#)**
[1. Reappointment of Joyce Klundt, 976 8th St., Menasha, for the term of Feb. 1, 2007-Feb 1, 2010](#)
[2. Reappointment of Mary Lueke, 836 Ida St., Menasha, for the term of Feb. 1, 2007-Feb. 1, 2010](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Reappointment of Joyce Klundt to Committee on Aging	Alderman Eckstein	Alderman Hendricks	Passed
Motion carried on voice vote.				
approve	Reappointment of Mary Lueke to Committee on Aging	Alderman Pack	Alderman Eckstein	Passed
Motion carried on voice vote.				

- B. [Mayor's Reappointment to the Landmark's Commission](#)**
[1. Reappointment of Patricia Rudolph, 1605 Northridge Ct., Menasha for the](#)

Item Action:
Approved

term of March 1, 2007-March 1, 2010

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Reappointment of Patricia Rudolph to Landmarks Commission	Alderman Merkes	Alderman Taylor	Passed

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

A. None

Item Action:
None

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. CDD Keil - Report on Habitat for Humanity Award received by City of Menasha

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The City of Menasha received the 2006-2007 Community Partnership Award from Greater Fox Cities Area Habitat for Humanity. The award was for the work the City has done with Habitat for Humanity to help secure affordable housing, including the housing project at Natures Way.

B. PRD Tungate - Report on ACEC 2007 Engineering Excellence- Best of State Award for the Trestle Trail

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The City and Town of Menasha received this award for the Trestle Trail. This is the third time award received for the work on the Trestle Trail.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1.

3/20/07; Recommends approval of the Final Plat for Southfield West subdivision with the condition that a statement is added that an eight foot wide pedestrian/bicycle trail will be installed in the right-of-way of lots 1-10 and Outlot 1.

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Final Plat of Southfield West Subdivision	Alderman Wisneski	Alderman Eckstein	
move	To Hold for two weeks	Alderman Pack	Alderman Eckstein	

This item held for two weeks.

2.

[3/20/07; Recommends approval of the Isle of Valor Memorial Plaza Ramp; Bridge](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Isle of Valor Memorial Plaza Ramp/Bridge	Alderman Taylor	Alderman Wisneski	Passed
Motion carried on voice vote.				

3.

[3/20/07; Recommends approval of the proposed 6 acre regional stormwater detention pond located in the north west corner of Lake Park Villas to serve Lake Park Villas \(part\), Silver Birch Estates and an area west of Lake Park Heights](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Proposed 6 acre regional stormwater detention pond	Alderman Merkes	Alderman Wisneski	Passed
Motion carried on roll call 7-0.				

B. Administration Committee:

1.

[Annual request of Nauts Landing to serve alcoholic beverages on their deck from April 15-October 31, 2007](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Request of Nauts Landing.	Alderman Taylor	Alderman Eckstein	Passed
Motion carried on voice vote.				

2.

[Development Agreement between City of Menasha and Silver Birch Investments, LLC](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Development Agreement between City of Menasha and Silver Birch Investments as amended	Alderman Eckstein	Alderman Wisneski	Passed
Motion carried on roll call 7-0.				
move	To amend paragraph #2 of the agreement, change from 15 to 30 days	Alderman Merkes	Alderman Taylor	Passed

Motion carried on roll call 7-0.

3.

[Accounts payable and payroll for 3-22-07/3-29-07 for the amount of \\$709,764.10](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Accounts payable and payroll	Alderman Eckstein	Alderman Pack	Passed

Motion carried on roll call 7-0.

4.

[Authorization to approve Sargent & Lundy for Workout Plan and Engineering Services Consultant \(Recommendation of Utilities Commission\).](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Sargent & Lundy for Workout Plan and Engineering Services Consultant	Alderman Pack	Alderman Michalkiewicz	Passed

Motion carried on roll call 5-2. Ald. Merkes, Taylor, Wisneski, Michalkiewicz - yes. Ald. Hendricks, Eckstein - no.

5.

[Authorization to request funds from Winnebago County Commission on Aging for 2008: 1\) Senior Center Activity Coordinator; 2\) Senior Center Supervisor; 3\) 60+ Health Program, and authorize signatures.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Request of Funds from Winnebago County Commission on Aging for 2008	Alderman Eckstein	Alderman Wisneski	Passed

Motion carried on roll call 7-0.

6.

[Annual request of Stone Toad to serve alcoholic beverages on their deck from April 15-October 31, 2007.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Request of Stone Toad	Alderman Eckstein	Alderman Hendricks	Passed

Motion carried on voice vote.

7.

[Approval of Dept. of Transportation Click it or Ticket Traffic Safety Grant.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Click it or Ticket Traffic Safety Grant	Alderman Hendricks	Alderman Pack	Passed

Motion carried on roll call 7-0.

8.

[Annual request of Locker Room to serve alcoholic beverages on their deck from April 14-November 30, 2007](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Request of Locker Room	Alderman Taylor	Alderman Pack	Passed

Motion carried on voice vote.

C. Board of Public Works:

1.

[Fox Cities Marathon; Sunday, September 23, 2007; 6:00 AM - 3:00 PM; \(Community First Credit Union\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Held in Board of Public Works

X. ORDINANCES AND RESOLUTIONS

- A. [R-8-07 - Resolution Authorizing the Issuance and Sale of up to \\$779, 363 Combined Utility Revenue Bonds, Series 2007, and Providing for Other Details and Covenants with Respect Thereto \(Safe Drinking Water Loan Program\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	R-8-07	Alderman Pack	Alderman Eckstein	Passed

Motion carried on roll call 7-0.

XI. HELD OVER BUSINESS

- A. [Motion to remove from table - Recommendation from Parks and Recreation](#)

Item Action:
Approved

Board, \$45 Fee Reduction for Jazzfest, Aug. 31, 2007-Sept. 2, 2007 at Jefferson Park (per Council approved policy). (Ald. Wisneski)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To remove from the table.	Alderman Wisneski	Alderman Merkes	Passed
Motion carried on roll call 7-0.				
approve	\$45 fee reduction for Jazzfest.	Alderman Wisneski	Alderman Pack	Passed
Motion carried on roll call 7-0.				

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - Update on Gatehouse property (Ald. Hendricks)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Atty. Koehler has all the documents signed to remove the restrictions on the deed for gatehouse property from the property. A closing will be scheduled with Evans Title in the next few weeks.

B. CDD Keil - Permanent signage at mini storage units (Ald. Hendricks)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

AP Beckendorf has sent correspondence to the owners instructing them to be in compliance of the sign code by April 7. The owners are requesting a meeting with staff.

C. CDD Keil- Status of Fox Cinema (Ald. Hendricks)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Fox Cinema opened on March 30 and are planning a grand opening in a month. The Mayor attended a movie and was impressed with the surroundings and the cost.

D. CDD Keil - Sign issues at Badger Ice Cream (Ald. Hendricks & Ald. Taylor)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The owners have been notified that the temporary sign is in violation of City code. They had until March 22 to comply. A citation will be issued. Staff will continue to monitor the situation. The owners have also been informed the placement of the drive-thru sign is causing a vision control problem.

E. CDD Keil - Status of 535 1st St. (Ald. Taylor)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The City holds title to the property and Community Development staff is working with Habitat for Humanity on making arrangements to remove the existing building on the site. All plans for a new home on the site will need Plan

Commission approval.

F. [CDD Keil - Lighting at Stone Toad \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The intensity of the outside lighting has been reduced with the installation of new shielding. Staff will be measuring the light levels to make sure they comply with the original plan.

G. [CDD Keil - Landscaping at mini storage units \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The landscape plan approved by the Plan Commission for this property has been followed. Park staff have reviewed the plans and agree they are in compliance with what was approved, even with a few changes.

H. [CDD Keil - Update on resident concerns at Province Terrace \(Ald. Chase\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Staff and residents have been working to resolve some of the concerns. The lighting concern at Stone Toad has been resolved and landscape is another concern. That is being worked on. Atty. Carlson is working on critiquing the zoning. He will have some recommendations.

I. [CDD Keil - Address Mr. Kading's proper notification concern \(Ald. Wisneski\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported he felt the City did properly notify the residents in the area of a recent Board of Appeals case. The Board heard a request from Solea Mexican Grill to modify a non-conforming pylon sign that exceeded the maximum height. The resident felt the noticed should have included information about a electronic message center. However, that was not the subject of the variance request. How the electronic message center operates is inconsistent with the City code. Staff has been working with the owners of Solea and the sign company to achieve compliance of the code.

Comments

Comments

NEXT AGENDA: Ald. Taylor: 1) Update on 535 1st Street; 2) Residents concerns at Province Terrace; 3) Outside lighting at Stone Toad. Ald. Hendricks: 1) Sign issue at Badger Ice Cream; 2) Status of Gatehouse property; 3) Permanent signs at mini storage units; 4) Electronic message center at Solea Mexican Grill. Ald. Wisneski: Landscaping on south side of River Street.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. [Public Comments on matters pertaining to the agenda](#)

Item Action:
None

XIV. ADJOURNMENT

A. [Adjournment](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	to adjourn at 8:45pm	Alderman Taylor	Alderman Pack	Passed

Motion carried on voice vote.

Comments

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi, City Clerk